

JOSEPH P. RUSSONIELLO (CABN 44332)
United States Attorney

BRIAN J. STRETCH (CSBN 163973)
Chief, Criminal Division

NICOLE KIM (NYBN 4435806)
Assistant United States Attorney

450 Golden Gate Ave.
San Francisco, California 94102
Telephone: (415) 436-6401
Fax: (415) 436-6982
E-Mail: nicole.kim@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

| | | |
|---------------------------|---|-------------------------------------|
| UNITED STATES OF AMERICA, |) | No. CR 08-0143 RMW |
| |) | |
| Plaintiff, |) | PROPOSED ORDER EXCLUDING |
| |) | TIME FROM SPEEDY TRIAL ACT |
| v. |) | COMPUTATION |
| |) | |
| FRANCISCO MORA ALVAREZ, |) | |
| |) | |
| Defendant. |) | |

The parties appeared before the Hon. Joseph C. Spero, United States Magistrate Judge, on March 12, 2008 at 9:30 a.m. Defendant Francisco Mora Alvarez ("ALVAREZ") appeared in custody with attorney Krystal Bowen, who appeared specially for attorney Haywood Gilliam. The United States appeared through Assistant United States Attorney Nicole M. Kim.

On February 27, 2008, defendant ALVAREZ was charged in a criminal complaint with violations of Title 21, United States Code, Section 841 and Title 18, United States Code, Section 2. On that same day, defendant ALVAREZ appeared in federal district court on those charges.

1 On March 6, 2008, a federal grand jury indicted defendant ALVAREZ for the aforementioned
2 violations. On March 12, 2008, defendant ALVAREZ was arraigned on the charges set forth in
3 Indictment Crim. No. 08-0143 RMW. A status conference before the Hon. Ronald M. Whyte
4 was set for April 7, 2008 at 9:00 a.m. The parties agreed to a continuance of this case until April
5 7, 2008.

6 Based upon the agreement of the parties in open Court, the Court FINDS THAT the ends
7 of justice served by granting a continuance from March 6, 2008 through April 7, 2008 outweigh
8 the best interest of the public and the defendant in a speedy trial, and that for continuity of
9 counsel and effective and adequate preparation for the case, the Court ORDERS THAT:

10 1. This case is continued to April 7, 2008 for further status and for possible setting
11 of motions and trial dates.

12 2. The period from March 6, 2008 through and including April 7, 2008 is
13 excluded from the otherwise applicable Speedy Trial Act computation, pursuant to 18 U.S.C. §
14 3161(h)(8)(A) and (B)(ii) and (iv).

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17 Dated: March 17, 2008

